UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,218	12/06/2001	Ron M. Redlich	6851-2 CIP2	2343

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EXAMINER
PYZOCHA, MICHAEL J

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/008,218	REDLICH ET AL.
	Examiner	**Art Unit**	
	Michael Pyzocha	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-67* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>20011206, 20030127.</u>

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-67 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1, 4, 10, 23, 26, 32, 46, 49, 55 are rejected under

35 U.S.C. 103(a) as being unpatentable over Lamm (US 6078907),

and further in view of Gleichauf et al (US 6301668).

As per claims 1, 23 and 46, Lamm discloses securing data in

a computer network with one or more security sensitive words,

characters or icons, said computer network having a plurality of

computers interconnected together, one of said plurality of

computers designated as a data input computer and each of said

plurality of computers having a memory therein, a first and a

second memory designated as a remainder store and an extract

store in one or more computers of said plurality of computers,

comprising: filtering data input from said data input computer

and extracting said security sensitive words, characters or

icons from said data to obtain extracted data and remainder
data; storing said extracted data and said remainder data in
said extracted store and said remainder store, respectively;
and, permitting reconstruction of said data via said extracted
data and remainder data only in the presence of a predetermined
security clearance (see column 9 lines 27-36; column 11 lines 8-
20).

Lamm fails to disclose the filtering occurring based on
attack warnings from an attack monitor.

However, Gleichauf et al teaches filtering occurring based
on attack warnings from an attack monitor (see column 1 lines
23-32 and column 7 lines 16-20).

At the time of the invention it would have been obvious to
a person of ordinary skill in the art to filter Lamm's data
based on security warnings from Gleichauf et al's system.

Motivation to do so would have been to find policy
violations and network misuse (see column 1 lines 23-32).

As per claims 4, 26 and 49, the modified Lamm and Gleichauf
et al system discloses defining filters prior to said filtering
step (see Lamm column 10 lines 40-45).

As per claims 10, 32 and 55, the modified Lamm and
Gleichauf et al system discloses mapping the two memories and
storing the map (see Lamm column 11 lines 31-57).

4.   Claims 2, 5, 24, 27, 47, 50 are rejected under 35

U.S.C. 103(a) as being unpatentable over the modified Lamm and

Gleichauf et al system as applied to claims 1, 23, 26, 46 and 49

above, and further in view of Kluttz et al (US 6598161).

As per claims 2, 5, 24, 27, 47, 50, the modified Lamm and

Gleichauf et al system fails to disclose subsets of filtration

with different levels of security and reconstructing only with

the correct security level.

However, Kluttz teaches different levels of security for

subsets of information and reconstruction (see abstract).

At the time of the invention it would have been obvious to

a person of ordinary skill in the art to use Kluttz's different

security levels for the filtered information of Lamm.

Motivation to do so would have been to allow for different

levels of access to information (see column 1 lines 62-64).

5.   Claims 6, 28 and 51 are rejected under 35 U.S.C. 103(a) as

being unpatentable over the modified Lamm and Gleichauf et al

system as applied to claims 1, 23 and 46 above, and further in

view of FOLDOC (URL webpage).

As per claims 6, 28 and 51, the modified Lamm and Gleichauf

et al system fails to disclose the use of URLs to exchange the

data between clients and servers.

However, FOLDOC teaches such limitations (see pages 1-2).

At the time of the invention it would have been obvious to
a person of ordinary skill in the art to use the URLs of FOLDOC
to identify and transfer data in the modified Lamm and Gleichauf
et al system.

Motivation to do so would have been to allow data to travel
over the Internet (see FOLDOC page 1).

6.   Claims 7-8, 29-30, 52-53 are rejected under 35
U.S.C. 103(a) as being unpatentable over the modified Lamm and
Gleichauf et al system as applied to claims 1, 23 and 46 above,
and further in view of Gurley (US 5036315).

As per claims 7, 29 and 52, the modified Lamm and Gleichauf
et al system fails to disclose one of said computers includes a
data display system with at least two separate but visually
overlaid displays and at least two respective display
interfaces, the step of reconstruction including displaying said
extracted data on one of said at least two displays and
displaying said remainder data on another of said at least two
displays.

However, Gurley teaches such a limitation (see the abstract
and Figure 1 number 100).

At the time of the invention it would have been obvious to
a person of ordinary skill in the art to use Gurley's displays
in the modified Lamm and Gleichauf et al system.

Motivation to do so would have been to allow for window
sharing (see Gurley abstract).

As per claims 8, 30 and 53, the modified Lamm, Gleichauf et
al and Gurley system discloses one of said computers includes a
display fed from a video memory having a plurality of frame
memory segments, the information processing system including
said compiler adapted to be coupled to said video memory, said
compiler having means for interleaving extracted data and
remainder data into respective ones of said plurality of frame
memory segments on said one computer (see Gurley abstract and
Figure 1 number 100).

7.   Claims 9, 11-12, 31, 33-34, 54, 56-57 are rejected under 35
U.S.C. 103(a) as being unpatentable over the modified Lamm and
Gleichauf et al system as applied to claims 1, 2, 23, 24, 46, 47
above, and further in view of Schneier (Applied Cryptography).

As per claims 9, 31, and 54, the modified Lamm and
Gleichauf et al system fails to disclose deleting said data
input from said data input computer after the step of storing

However, Schneier teaches destroying information (see pages
228-229).

At the time of the invention it would have been obvious to
a person of ordinary skill in the art to use Schneier's method

of destroying information to destroy the filter of the modified

Lamm and Gleichauf et al system.

Motivation to do so would have been to protect the secret

information (see Schneier page 229).

As per claims 11-12, 33-34, 56-57, Lamm fails to disclose

encrypting and decrypting the data.

However, Schneier teaches encryption and decryption (see

page 220).

At the time of the invention it would have been obvious to

a person of ordinary skill in the art to encrypt the modified

Lamm and Gleichauf et al system's map before storing.

Motivation to do so would have been to have a higher

secrecy level (see page 220). -

8.   Claims 13-15, 18-19, 35-37, 40-41, 58-60, 63-64 are

rejected under 35 U.S.C. 103(a) as being unpatentable over the

modified Lamm and Gleichauf et al system as applied to claims

12, 34 and 57 above, and further in view of FOLDOC (URL

webpage).

As per claims 13-14, 35-36, 58-59, the modified Lamm,

Gleichauf et al, and Schneier system fails to disclose the use

of URLs to exchange the data between clients and servers.

However, FOLDOC teaches such limitations (see pages 1-2).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the URLs of FOLDOC to identify and transfer data in the modified Lamm, Gleichauf et al and Schneier system.

Motivation to do so would have been to allow data to travel over the Internet (see FOLDOC page 1).

As per claims 15, 37 and 60, the modified Lamm, Gleichauf et al, Schneier, and FOLDOC system discloses encrypting and decrypting the data (see Schneier page 220).

As per claims 18, 40 and 63, the modified Lamm, Gleichauf et al, Schneier, and FOLDOC system discloses deleting said data input from said data input computer after the step of storing (see pages 228-229).

As per claims 19, 41 and 64, the modified Lamm, Gleichauf et al, Schneier, and FOLDOC system discloses mapping the two memories and storing the map (see Lamm column 11 lines 31-57).

9.   Claims 16-17, 38-39, 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Lamm, Gleichauf et al, Schneier, and FOLDOC system as applied to claims 15, 37 and 60 above, and further in view of Gurley (US 5036315).

As per claims 16, 38 and 61, the modified Lamm, Gleichauf et al, Schneier, and FOLDOC system fails to disclose one of said

computers includes a data display system with at least two separate but visually overlaid displays and at least two respective display interfaces, the step of reconstruction including displaying said extracted data on one of said at least two displays and displaying said remainder data on another of said at least two displays.

However, Gurley teaches such a limitation (see the abstract and Figure 1 number 100).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Gurley's displays in the modified Lamm and Gleichauf et al system.

Motivation to do so would have been to allow for window sharing (see Gurley abstract).

As per claims 17, 39 and 62, the modified Lamm, Gleichauf et al, Schneier, FOLDOC and Gurley system discloses one of said computers includes a display fed from a video memory having a plurality of frame memory segments, the information processing system including said compiler adapted to be coupled to said video memory, said compiler having means for interleaving extracted data and remainder data into respective ones of said plurality of frame memory segments on said one computer (see Gurley abstract and Figure 1 number 100).

10. Claims 3, 25, 48 are rejected under 35 U.S.C. 103(a) as
being unpatentable over the modified Lamm and Gleichauf et al
system as applied to claims 1, 23 and 46 above, and further in
view of Wylie et al (Survivable Information Storage Systems).

As per claims 3, 25 and 48, the modified Lamm and Gleichauf
et al system fails to disclose storing different data in
different data stores.

However, Wylie et al teaches such storage techniques (see
page 62).

At the time of the invention it would have been obvious to
a person of ordinary skill in the art to use Wylie et al's
multiple data stores to store the extracted data of the modified
Lamm and Gleichauf et al system.

Motivation to do so would have been to use a threshold
scheme to protect the data (see page 62).

11. Claims 20-21, 42, 44, 65-66 are rejected under 35
U.S.C. 103(a) as being unpatentable over the modified Lamm and
Gleichauf et al system as applied to claims 1, 23 and 46 above,
and further in view of Moses et al (US 5532950).

As per claims 20-21, 42, 44, 65-66, the modified Lamm and
Gleichauf et al system fails to disclose filtering, storing or
reconstruction of an audio file utilizing an inference engine,
neural network or artificial intelligence.

However, Moses et al teaches such a limitation (see column 3 lines 32-39).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Moses et al's neural network to filter audio data in the modified Lamm and Gleichauf et al system.

Motivation to do so would have been that neural networks are capable of being trained (see column 3 lines 32-39).

12.   Claims 22, 45, 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Lamm and Gleichauf et al system as applied to claims 1, 23, and 46 above, and further in view of Fowler et al (US 6714977).

As per claims 22, 46 and 67, the modified Lamm and Gleichauf et al system fails to disclose the events include power loss and environmental conditions.

However, Fowler et al teaches monitoring these events (see column 7 lines 7-25 and column 8 lines 13-34).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the modified Lamm and Gleichauf et al system to monitor power loss and environmental conditions.

Motivation to do so would have been to determine the temperature (see column 3 lines 23-26).

13. Claim 43 rejected under 35 U.S.C. 103(a) as being

unpatentable over the modified Lamm, Gleichauf et al, and Moses

et al system as applied to claim 42 above, and further in view

of Official Notice.

The modified Lamm, Gleichauf et al, and Moses et al system

fails to disclose the filtering increase extraction with the

inference engine based upon increasingly higher attack levels.

However, Official Notice is taken that it would have been

obvious at the time of the invention one of ordinary skill in

the art to increase the extraction upon increasingly higher

attack levels.

Motivation to do so would have been that upon increasingly

higher attack levels the data is more vulnerable and therefore

should be further protected.

Double Patenting

14. The nonstatutory double patenting rejection is based on a
judicially created doctrine grounded in public policy (a policy
reflected in the statute) so as to prevent the unjustified or
improper timewise extension of the "right to exclude" granted by
a patent and to prevent possible harassment by multiple
assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010
(Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed.
Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA
1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and,
In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
A timely filed terminal disclaimer in compliance with 37
CFR 1.321(c) may be used to overcome an actual or provisional
rejection based on a nonstatutory double patenting ground

provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

15. Claims 1, 23 and 46 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 47, and 72 of copending Application No. 10008209 in view of Kluttz et al. The claims of the copending application add the limitation of subsets of data have different security levels with different users having different security clearance. Kluttz teaches this limitation as shown in the above rejection of claim 68. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Kluttz's different security levels for the filtered information of the copending claim.

Motivation to do so would have been to allow for different levels of access to information.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

16. Claims 1, 23 and 46 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 46 of copending Application No. 09916397. Although the conflicting claims are

not identical, the claims from the copending application are.

broader than the current application's claims.

This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

17.   Claims 1, 23 and 46 are provisionally rejected under the

judicially created doctrine of obviousness-type double patenting

as being unpatentable over claims 1 and 20 of copending

Application No. 10155525. Although the conflicting claims are

not identical, they are not patentably distinct from each other

because it would have been obvious to one of ordinary skill in

the art to modify the present claims to store the data remotely

and to secure email as in the claims of the copending

application. Motivation to do so would have been to allow

multiple users to access the data and to allow the use of the

SMTP protocol.

This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

18.   Claims 1, 23 and 46 are provisionally rejected under the

judicially created doctrine of obviousness-type double patenting

as being unpatentable over claims of copending Application No.

10155192. Although the conflicting claims 1 and 7 are not

identical, they are not patentably distinct from each other

because it would have been obvious to one of ordinary skill in

the art to modify the present claims to be performed on a user

system as opposed to a network system. Motivation to do so

would have been to allow all of a users data to be filtered.

This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

19. Claims 1, 23 and 46 are provisionally rejected under the

judicially created doctrine of obviousness-type double patenting

as being unpatentable over claims 1, 53, and 67 of copending

Application No. 10277196. Although the conflicting claims are

not identical, they are not patentably distinct from each other

because it would have been obvious to one of ordinary skill in

the art to modify the present claims to modify the copending

claims to be done at a user level with different security

levels. Motivation to do so would have been to allow a public

computer to allow access to different information to different

users.

This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

20. Claims 1, 23 and 46 are provisionally rejected under the

judicially created doctrine of obviousness-type double patenting

as being unpatentable over claims 1, 47, 48, 124, and 146 of

copending Application No. 10390807. Although the conflicting

claims are not identical, they are not patentably distinct from

each other because it would have been obvious to one of ordinary

skill in the art to modify the present claims to filter data

when a portable computing device is outside of an area.

Motivation to do so would have been to prevent security data

from being accessible from a non-secure area.

    This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

21. Due to the vast number of applications that qualify as a

provisional double patenting rejection only the independent

claims of the present application have been rejected.
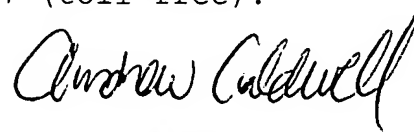

Conclusion

22. The prior art made of record and not relied upon is

considered pertinent to applicant's disclosure. Lee et al (US

6493752) teaches filtering based on a hacking attack, Kouznetsov

(US 6725377) teaches monitoring a network for hacking attacks, Belfiore (US 20020059425) teaches an inference based filtering.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

MJP